

HOUSE BILL NO. 130

INTRODUCED BY B. LAWSON

BY REQUEST OF THE STATE LIBRARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATING TO LIBRARIES; ~~CREATING~~
~~A NEW CATEGORY OF STATE AID FOR PUBLIC LIBRARIES;~~ ALLOWING LIBRARIES RATHER THAN
LOCAL GOVERNMENTS TO FORM FEDERATIONS; ELIMINATING REFERENCES TO LIBRARY NETWORKS;
ELIMINATING THE OPTION OF AN ELECTION FOR AN ENTITY TO WITHDRAW FROM A LIBRARY
FEDERATION; ALLOWING A LIBRARY FEDERATION TO CONTRACT WITH OTHER FEDERATIONS,
LIBRARIES, OR THE STATE LIBRARY; CLARIFYING PARTICIPATION IN A LIBRARY FEDERATION;
ALLOWING A LIBRARY DIRECTOR'S DESIGNEE TO SERVE AS COORDINATOR OF A LIBRARY
FEDERATION AND AS A NONVOTING MEMBER OF A FEDERATION ADVISORY BOARD OF TRUSTEES;
REQUIRING A LIBRARY FEDERATION TO MAKE ANNUAL REPORTS TO THE STATE LIBRARY
COMMISSION ON PROGRESS OF STATE-FUNDED PROJECTS; AND AMENDING SECTIONS ~~22-1-330,~~
~~22-1-327,~~ 22-1-402, 22-1-403, 22-1-404, AND 22-1-413, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~Section 1. Section 22-1-330, MCA, is amended to read:~~

~~"22-1-330. Commission rulemaking authority. The commission may adopt rules and procedures
for:~~

~~(1) the distribution of state aid to public libraries on a:~~

~~(a) per capita and per square mile basis; and~~

~~(b) mill value basis as provided in 22-1-327(2);~~

~~(2) issuance of state multilibrary cards;~~

~~(3) reimbursement for interlibrary loan lending;~~

~~(4) distribution of base grants provided for in 22-1-331; and~~

~~(5) the composition of the library federation board of trustees, as provided in 22-1-404."~~

~~Section 2. Section 22-1-327, MCA, is amended to read:~~

~~"22-1-327. State aid -- per capita -- per square mile -- mill value. (1) The commission shall distribute grants to public libraries on a per capita and per square mile basis.~~

~~(2) The commission shall distribute additional grants to public libraries that:~~

~~(a) assess the maximum mill rate allowed by law;~~

~~(b) serve counties in which the value of 1 mill is below the state average; and~~

~~(c) meet standards established by the commission."~~

Section 1. Section 22-1-402, MCA, is amended to read:

"22-1-402. Library systems federations -- definition. (1) ~~Library systems must include library federations or library networks.~~

~~(2)(a)~~ A library federation is a combination of libraries serving a multicounty, multicity, or city-county area within a federation area designated by the state library commission. Any other public, school, special, college, or university library or town, city, or county within the federation area may participate in a federation.

~~(b)(2)~~ ~~Two or more cities, towns, or counties; a city and one or more counties; or school, special, college, or university libraries~~ The governing body of a public library may agree by contract to form a federation by action of their respective governing bodies or duly created boards of library trustees with the governing board of another public, school, special, college, or university library if one of the parties is or maintains a library that has been designated by the state library commission as a headquarters library for that federation area. The participating entities may retain the autonomy over their respective libraries specified in the contract.

~~(c)(3)~~ The expense of providing library services for the library federation must be based on funds received from the state or participating libraries as agreed upon in the contract. The funds of the federation must be maintained as a separate account as provided in the contract. Participating libraries shall transfer semiannually to the account all money collected for the federation in their respective jurisdiction.

~~(d)(4)~~ A participating entity may withdraw from a federation according to the terms for withdrawal provided in the contract by the action of its governing body ~~or by a majority of its qualified voters voting at a general or special election. A special election must be held in conjunction with a regular or primary election.~~

~~(3) A library network is an agreement between individual libraries or library systems, which may~~

1 ~~be intercity, intrastate, or interstate, for the exchange of information or to provide specific library services~~
2 ~~not provided in existing library federations.~~

3 (5) A federation may contract with other federations, libraries, or the state library to provide
4 federation services."

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6 **Section 2.** Section 22-1-403, MCA, is amended to read:

7 **"22-1-403. Participation in the federation.** ~~(1) When a library federation shall have been is~~
8 ~~established, the legislative governing body of any government unit library in the designated library~~
9 ~~federation area may decide, with the concurrence of the board of trustees of its library if it is maintaining~~
10 ~~a library, to participate in the library federation. Each local entity may determine the amount of services~~
11 ~~it wishes to supply to fulfill the needs of its unit. After the necessary contract has been executed and~~
12 ~~beginning with the next fiscal year, the governmental unit shall participate in the library federation and its~~
13 ~~residents shall be entitled to the benefits of the library federation and property within its boundaries shall~~
14 ~~be subject to taxation for library federation purposes.~~

15 ~~(2) The board of regents of higher education may contract with the government of any city or~~
16 ~~county, or the governments of both the city and the county, in which a unit of the Montana university~~
17 ~~system is located for the establishment and operation of joint library services. Any such contract which~~
18 ~~proposes the erection of a building shall be subject to the approval of the legislature. Any joint library~~
19 ~~services established pursuant to this section shall be operated and supported as provided in such contract~~
20 ~~and under this part."~~

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22 **Section 3.** Section 22-1-404, MCA, is amended to read:

23 **"22-1-404. Board of trustees -- coordinator.** (1) In a library federation, there must be a board of
24 trustees with advisory powers only, the operation of the library federation having been specified by
25 contract. The state library commission, provided for in 22-1-101, shall adopt rules governing the
26 composition of the federation board of trustees. A majority of the members of each federation board of
27 trustees must be trustees of a public library, as defined in 22-1-326.

28 (2) The ~~librarian~~ library director or a designee of the headquarters library shall serve as the
29 coordinator of the federation and as a nonvoting member of the federation advisory board of trustees."

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